

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

BLUE AUGUST, LLC,  
*a Tennessee corporation,*

Movant,

v.

Case No. 1:12-mc-00013-JDB-egb

Heckler & Koch, Inc,  
*a Virginia corporation,*

Respondent.

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**REPORT AND RECOMMENDATION**

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On May 12, 2014, this matter was referred to this Magistrate Judge to conduct a status conference [D.E. 9] and on May 19, 2014 a telephonic conference was held. The parties essentially agreed that the discovery dispute before this Court was resolved. Each was instructed to submit a proposed order to this effect. The parties have submitted proposed orders, and after reviewing same, the Magistrate Judge recommends that the District Court find as follows:

As the parties agree that Blue August, LLC has satisfied its obligations concerning the subpoena at issue in this matter and that no further Court action is necessary at this time, the Court closes this matter. If additional concerns regarding this matter arise in the future, the parties may petition this Court for further relief. If either party petitions the Court for its fees incurred in this matter, the other party may also petition the Court for its fees incurred in this matter.

Respectfully submitted this 2<sup>nd</sup> day of July, 2014.

**s/Edward G. Bryant**  
United States Magistrate Judge

**ANY OBJECTIONS OR EXCEPTIONS TO THIS REPORT AND RECOMMENDATIONS MUST BE FILED WITHIN FOURTEEN (14) DAYS AFTER BEING SERVED WITH A COPY OF THE REPORT AND RECOMMENDATIONS. 28 U.S.C. § 636(b)(1). FAILURE TO FILE THEM WITHIN FOURTEEN (14) DAYS MAY CONSTITUTE A WAIVER OF OBJECTIONS, EXCEPTIONS, AND ANY FURTHER APPEAL.**